

929

1362

Instrument Control Number

**Commonwealth of Virginia  
Land Record Instruments  
Cover Sheet - Form A**

000001 JUL 25 05

[ILS VLR Cover Sheet Agent 1.0.83]

INSTRUMENT #200503176  
RECORDED IN THE CLERK'S OFFICE OF  
WISE COUNTY ON  
JULY 25, 2005 AT 11:46AM  
J. JACK KENNEDY, JR., CLERK

RECORDED BY: TLS

(Box for Deed Stamp Only)

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Date of Instrument: [07/22/05 ]

Instrument Type: [ORDER ]

Number of Parcels [ 5]

Number of Pages [ 8]

City ☒ County ☐ [Wise ]

## First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas and Oil Bo ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]

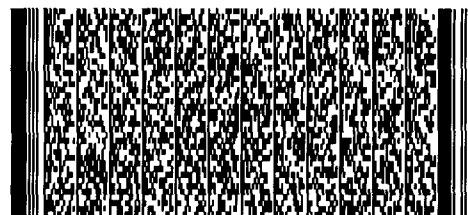
## First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[Greear ]	[Marvin ]	[ ]	[ ]
[Greear ]	[Lois ]	[ ]	[ ]

Grantee Address (Name) [Equitable Production Company ]  
 (Address 1) [Cloverleaf Square ]  
 (Address 2) [ ]  
 (City, State, Zip) [Big Stone Gap ] [VA ] [24219 ]  
 Consideration [0.00 ] Existing Debt [0.00 ] Assumption Balance [0.00 ]

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100]  
 Book [ ] Page [ ] Instr. No [200501742 ]  
 Parcel Identification No (PIN) [006894 ]  
 Tax Map Num. (if different than PIN) [ ]  
 Short Property Description [Marvin & Lois Greer husband & wife ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]

Instrument Prepared By [Virginia Gas and Oil Board ]  
 Recording Paid for By [Department of Mines, Minerals & Energy ]  
 Return Recording To (Name) [Diane Davis ]  
 (Address 1) [Department of Mines, Minerals & Energy ]  
 (Address 2) [P. O. Box 1416 ]  
 (City, State, Zip) [Abingdon ] [VA ] [24212 ]  
 Customer Case ID [VGOB-04-11/16-1362 ] [ ]



Instrument Control Number

**Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form B**

[ILS VLR Cover Sheet Agent 1.0.83]

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Date of Instrument: [07/22/05 ]

Instrument Type: [ORDER ]

Number of Parcels [ 5]

Number of Pages [ 8]

City ☒ County ☐ [Wise ]

(Box for Deed Stamp Only)

**Grantors/Grantees/Parcel Continuation Form B**

	Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	[R&B Enterprises Inc	]	[	]
<input type="checkbox"/>	[Nelson	]	[Gordon	]
<input type="checkbox"/>	[Nelson	]	[Molly	]
<input type="checkbox"/>	[Nelson	]	[David	]
<input type="checkbox"/>	[Nelson	]	[W	]
<input type="checkbox"/>	[Sherrard	]	[Robert	]
<input type="checkbox"/>	[Sherrard	]	[Marie	]
<input type="checkbox"/>	[Scott	]	[James	]
<input type="checkbox"/>	[Scott	]	[Elaine	]
<input type="checkbox"/>	[Scott	]	[Elizabeth	]
<input type="checkbox"/>	[Stephens	]	[Laura	]
<input type="checkbox"/>	[Hagan	]	[Brian	]
<input type="checkbox"/>	[Greear	]	[Ralph	]
<input type="checkbox"/>	[Carter	]	[Viola	]
<input type="checkbox"/>	[Cline	]	[Hugh	]
<input type="checkbox"/>	[McAfee	]	[Carl	]

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100]

Book [ ] Page [ ] Instr. No [ ]

Parcel Identification No (PIN) [006785 ]

Tax Map Num. (if different than PIN) [ ]

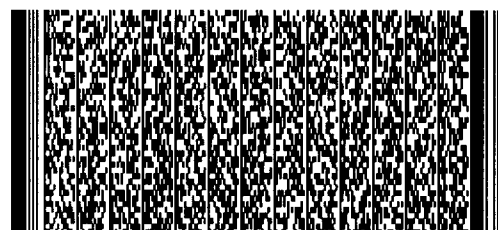
Short Property Description [R&B Enterprises ]

[ ]

Current Property Address (Address 1) [ ]

(Address 2) [ ]

(City, State, Zip) [ ] [ ] [ ]



Instrument Control Number

**Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form C**

[ILS VLR Cover Sheet Agent 1.0.83]

000003 JUL 25 08

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Date of Instrument: [07/22/05 ]

Instrument Type: [ORDER ]

Number of Parcels [ 5]

Number of Pages [ 8]

City ☒ County ☐ [Wise ] (Box for Deed Stamp Only)

**Grantors/Grantees/Parcel Continuation Form C**

	Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	[McAfee	] [Julia	] [A	] [
<input type="checkbox"/>	[	] [	] [	] [
<input type="checkbox"/>	[	] [	] [	] [
<input type="checkbox"/>	[	] [	] [	] [
<input type="checkbox"/>	[	] [	] [	] [
<input type="checkbox"/>	[	] [	] [	] [
<input type="checkbox"/>	[	] [	] [	] [

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100]  
Book [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [008001]  
Tax Map Num. (if different than PIN) [ ]  
Short Property Description [ ]  
Current Property Address (Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100]  
Book [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [006894]  
Tax Map Num. (if different than PIN) [ ]  
Short Property Description [ ]  
Current Property Address (Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]



Instrument Control Number

**Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form C**

[ILS VLR Cover Sheet Agent 1.0.83]

000004 JUL 25 8

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Date of Instrument: [07/22/05 ]

Instrument Type: [ORDER ]

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City ☒ County ☐ [Wise ] (Box for Deed Stamp Only)

**Grantors/Grantees/Parcel Continuation Form C**

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100]  
Book [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [006445]  
Tax Map Num. (if different than PIN) [ ]  
Short Property Description [ ]  
Current Property Address (Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Prior Instr. Recorded at: City ☐ County ☐ [ ] Percent. in this Juris. [ ]  
Book [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [ ]  
Tax Map Num. (if different than PIN) [ ]  
Short Property Description [ ]  
Current Property Address (Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]



200503176

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER 45.1-5116  
OF VIRGINIA SECTION 45.1-5116 JUL 22 2005

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB 04/11/16-1362

ELECTIONS, UNIT: V-502726

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL  
PARCELS AFFECTED BY THIS ORDER ARE SHOWN ON  
EXHIBIT (S) B WHICH IS/ARE ATTACHED  
TO AND A PART OF THIS ORDER.

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on April 19, 2005, and recorded Instrument #200501742 at the Office of the Clerk of Circuit Court, Wise County, Virginia on April 27, 2005, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
  - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
  - (b) The designated operator filed its affidavit of mailing dated May 2, 2005, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
  - (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30)


days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated 0000168 JUL 25 2005 in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

- (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
  - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 21<sup>st</sup> day of July, 2005 by the authority of the Virginia Gas and Oil Board.

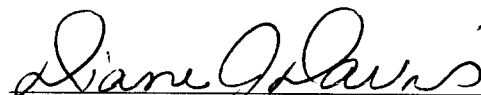
  
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 22<sup>nd</sup> day of July, 2005 by Order of this Board.

  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA  
COUNTY OF Washington

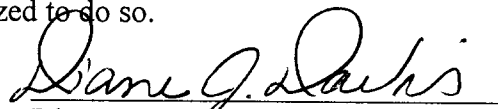
Acknowledged on this 21<sup>st</sup> day of July, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Notary Public

My commission expires: 9/30/05.

STATE OF VIRGINIA  
COUNTY OF Washington

Acknowledged on this 22<sup>nd</sup> day of July, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: 9/30/05.

VIRGINIA:

0000165 JUL 22 10

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number V-502726 VGOB Docket No. VGOB-04/11/16-1362 in the Lipps Magisterial District of Wise County, Virginia.

**AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER**

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on April 19, 2005, by the Virginia Gas and Oil Board regarding the captioned Conventional Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on April 27, 2005.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

NONE



6. That the interest and/or claims of the following persons ~~who have not made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator)~~ are subject to escrow under the Board's Order pooling the captioned Unit, as unknown or/unlocatable.

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
6 MINERAL ONLY	Unknown Heirs of Viola E. Carter	Unleased	0.03273750

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>Tract</u>	<u>Payee</u>	<u>Cash Consideration</u>
6 Mineral Only	Unknown Heirs of Viola E. Carter Escrow Agent for VA FP Use 77788 for example Escrow Agent Wachovia Bank Corporate Trust PA 1328 123 Broad Street Philadelphia, PA 19109-1199	29.5100 X \$5.00 = \$147.55

000010-11-25-13  
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 31st day of May 2005.

[Signature]  
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 31st day of May 2005.

My commission expires: 11-12-08

[Signature]  
Notary



**EXHIBIT "B"**  
**V-502726**  
**VGOB 04/11/16-1362**

0000011 JUL 25 2016

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>REVENUE INTEREST</u>
<u>Gas Estate Only</u>					
1 ID 6894	Marvin Greear Lois Greear h/w 541 Rogers Avenue Kingsport, TN 37660	Leased 905657	16.49000000%	18.5800	0.02061250 RI
	Equitable Production Company				0.14428750 WI
<u>Tract 1 Totals</u>			<u>16.49000000%</u>	<u>18.5800</u>	<u>0.16490000</u>
2 ID 6785	R & B Enterprises, Inc. P.O. Box 1526 Coeburn, VA 24230	Leased 905681	13.98000000%	15.7600	0.01747500 RI
	Equitable Production Company				0.12232500 WI
<u>Tract 2 Totals</u>			<u>13.98000000%</u>	<u>15.7600</u>	<u>0.13980000</u>
3 ID 8001	Gordon P. Nelson Molly Nelson h/w 3001 Caffia Way West Palm Beach, FL 33409	Leased 905727	4.25995700%	4.8000	0.00532495 RI
	David C. Nelson, single 1952 Hartford Court West Palm Beach, FL 33409-7523	Leased 905727	4.25995700%	4.8000	0.00532495 RI
	W. Timothy Nelson, single 1711 17th Avenue North Lakeworth, FL 33460-6429	Leased 905727	4.25995700%	4.8000	0.00532495 RI
	Equitable Production Company				0.11182387 WI
<u>Tract 3 Totals</u>			<u>12.77987100%</u>	<u>14.4000</u>	<u>0.12779872</u>
4 MINERAL ONLY	Robert S. Sherrard Jr Marie Sherrard h/w 930 Ridgemont Road Charleston, WV 25314	Leased 905090	10.39510900%	11.7149	0.01299389 RI
	James B. Scott Elaine C. Scott h/w P.O. Box 308 Dungannon, VA 24245	Leased 905090	3.46500700%	3.9050	0.00433126 RI
	Elizabeth Hagan Scott C/O James B. Scott Agent and Attorney - in - Fact P.O. Box 308 Dungannon, VA 24245	Leased 905090	3.46498600%	3.9050	0.00433122 RI

**EXHIBIT "B"**  
**V-502726**  
**VGOB 04/11/16-1362**

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>
	Laura Stephens C/O John Patrick Hagan Agent and Attorney - in - Fact P.O. Box 1664 Lebanon, VA 24266	Leased 223280	1.15500900%	1.3017	0.00144376 RI
	Brian Hagan C/O John Patrick Hagan Agent and Attorney - in - Fact P.O. Box 1664 Lebanon, VA 24266	Leased 223280	1.15500900%	1.3017	0.00144376 RI
	SWRR Properties Inc. 112 Laurel Street Weber City, VA 24290	Leased 223280	1.15500900%	1.3017	0.00144376 RI
	Equitable Production Company				0.18191363 WI
<u>Tract 4 Totals</u>			<u>20.79012900%</u>	<u>23.4300</u>	<u>0.20790128</u>
5 ID 6894	Ralph Greear, single 1614 Lynn Garden Drive Kingsport, TN 37665	Leased 905665	9.02000000%	10.1700	0.01127500 RI
	Equitable Production Company				0.07892500 WI
<u>Tract 5 Totals</u>			<u>9.02000000%</u>	<u>10.1700</u>	<u>0.09020000</u>
6 MINERAL ONLY	Unknown Heirs of Viola E. Carter Equitable Production Company	Unleased	26.19000000%	29.5100	0.03273750 RI
					0.22916250 WI
<u>Tract 6 Totals</u>			<u>26.19000000%</u>	<u>29.5100</u>	<u>0.26190000</u>
7 ID 6445	Hugh P. Cline 312 Northwest Henry Street Norton, VA 24273-1413	Leased 223061	0.37500000%	0.4200	0.00046875 RI
	Carl E. McAfee Julia A. McAfee P.O. Box 656 Norton, VA 24273-0656	Leased 223061	0.37500000%	0.4200	0.00046875 RI
	Equitable Production Company				0.00656250 WI
<u>Tract 7 Totals</u>			<u>0.75000000%</u>	<u>0.8400</u>	<u>0.00750000</u>

**TOTAL GAS ESTATE**

**100.00000000% 112.6900 1.00000000**

INSTRUMENT #200503176  
RECORDED IN THE CLERK'S OFFICE OF  
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JULY 25, 2005 AT 11:46AM  
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